

REMARKS

Claims 1-7 and 11 are pending. Claims 8-10 and 12-14 have been cancelled without prejudice. Applicants reserve the right to prosecute subject matter withdrawn from consideration by cancellation or amendment in one or more continuation, continuation-in-part, or divisional applications.

THE RESTRICTION REQUIREMENT

In the Official Action, restriction under 35 U.S.C. §121 is required to one of the following groups of inventions:

- I. Claims 1-7, 11, drawn to peptides and diagnostic methods of use; and
- II. Claims 8-10, 12-14, drawn to nucleic acids.

The Examiner contends that the inventions of Groups I and II are distinct. Additionally, after election of a group, the Examiner has required that a species election be made. The species are peptides or coding sequences involving:

- (A) spike peptides of SEQ ID NOS:1-4;
- (B) M peptides of SEQ ID NOS:5-6;
- (C) N peptides of SEQ ID NOS:7-8;
- (D) N peptides of SEQ ID NOS:9-11; and
- (E) N peptides of SEQ ID NOS: 12-15.

In order to be fully responsive, Applicants elect the invention of Group I, claims 1-7, 11, and species group B, M peptides of SEQ ID NOS:5-6, to prosecute in the present application without prejudice to prosecution of the subject matter of the non-elected Groups in subsequent applications.

CONCLUSION


It is believed that the elected claims are in condition for allowance. Early and favorable action by the Examiner is earnestly requested.

AUTHORIZATION

No fee is believed due. However, the Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1151-4175.

Respectfully submitted,

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Dated: April 29, 2005

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